IN THE HIGH COURT OF JUDICATURE AT BOMBAY
A.S.
Writ Petition No.7989 of 2005

Ravindra G Nandgaonkar...Petitioner

vs

Mohid Construction Co and ors ..Respondents

Ms Betty D'souza for M P Vashi for petitioner

Mr Ramesh Dube Patil for respondent no.l

Mr G D Uttangale for respondent no. 3

CORAM: S.U.KAMDAR J.

Dated 30.ll.2005

P.C:

l. By consent of the parties the following order is passed:

> The impugned order dated 29.l0.2005 is quashed and set aside. The matter is remitted back to consider the case of the petitioner for eligibility in the slum rehabilitation project on its own merits and by considering the documents produced by the petitioner. The Dy Collector who is present in court assures the court that that he will designate a senior officer to consider the case of the petitioner. Such an officer is directed to decide and determine the

application of the petitioner on its own merits without in any way being influenced by the order passed by the Secretary, which is the impugned order dated 29.l0.2005. The Secretary of the respondent no. 3 is further directed not to interfere with the particular case particularly for determination of the petitioner’s claim in respect of the said eligibility. Until the petitioner’s case is determined in accordance with law, possession of the petitioner from the respective hut will not be disturbed and the petitioner will abide by the order passed by the Officer which is to be passed afresh on its own merits. The Dy Collector is directed to appoint the Officer and dispose of the application on or before 3l.l2.2005.

. Petition is disposed of accordingly with no order as to costs.